

REMARKS/ARGUMENTS

Claims 12 and 14-18 are pending in the application. Claims 12 and 14-18 are rejected under 35 U.S.C. 103. The Final Office Action mailed on October 31, 2007 has been noted, and its contents carefully studied. The undersigned representative respectfully requests reconsideration of the rejections under 35 U.S.C. §103 in light of these remarks/arguments.

Claim Rejections - 35 USC § 103

Claims 12 and 14-18 stand rejected under 35 U.S.C. Section 103(a) as obvious over Wharton (US Pub No 2005/0027610) and Bednarek (US Pat No 6,965,868). The rejection is traversed and reconsideration is requested.

The proposed modification of Wharton in view of Bednarek, the deficiencies of each of which have been pointed out in previous papers filed in this application, lacks one or more limitations recited in each of independent claims 12 and 18 in at least the following respects:

- Wharton, paragraphs [0009], [0010], [0046], [0051], [0053], and Figs. 1 and 4, cited by the Examiner in rejecting independent claims 12 and 18, propose a transaction processing system (with back-end payment verification, accounting/billing, order fulfillment and data storage functionality) coupled to multiple vendor systems (with catalog, customer data, shopping basket and business rule functionality) through a portal, which transaction processing system communicates with other systems, such as transaction/payment authorization/verification systems, via an API, and which business rule functionality utilizes account numbers for verification and scripts stored on a customer's database for tracking purchases and transmitting information to the customer's system in compatible format. However, nothing in the cited passages of Wharton teaches or suggests transmitting, receiving, identifying and translating from a first to a second language at a platform a request message for merchant information from a mobile device; communicating, receiving, recognizing, parsing, and translating a reply with the requested information into the first language at the platform and transmitting the reply to the mobile device;

transmitting, receiving and translating a purchase request from the first to the second language at the platform and communicating the purchase request to the merchant website; receiving and forwarding a purchase request response including a payment authorization request in the second language from the platform to the payment authorization system; and receiving, parsing, translating a purchase request response including a payment authorization response into the first language at the platform and transmitting the purchase request response to the mobile device, as recited in independent claim 12 and similarly in independent claim 18.

- The Examiner admits that Wharton fails at least to disclose transmitting in a first language a request message for merchant website information from a mobile device, transmitting the reply message to the mobile device, or transmitting the purchase request response in the first language to the mobile device, as recited in independent claim 12 and similarly in independent claim 18. Bednarek fails to remedy the deficiencies of Wharton. Column 68, line 65-column 69, line 15, likewise cited by the Examiner in rejecting independent claims 12 and 1, proposes merchant web sites to which a directory service is linked that stores data pertaining to merchants (i.e., name, address, phone number, driving directions, specials, promotions and advertising) that can be sent over a cellular network. There is no teaching or suggestion in either Bednarek or Wharton, separately or in combination with one another, of transmitting, receiving, identifying and translating from a first to a second language at a platform a request message for merchant information from a mobile device; communicating, receiving, recognizing, parsing, and translating a reply with the requested information into the first language at the platform and transmitting the reply to the mobile device; transmitting, receiving and translating a purchase request from the first to the second language at the platform and communicating the purchase request to the merchant website; receiving and forwarding a purchase request response including a payment authorization request in the second language from the platform to the payment authorization system; and receiving, parsing, translating a purchase request response including a payment authorization response into the

first language at the platform and transmitting the purchase request response to the mobile device, as recited in independent claim 12 and similarly in independent claim 18.

Consequently, Wharton and/or Bednarek, separately or in combination with one another, do not recite the required combination of limitations of independent claims 12 and/or 18. Because the cited references, either alone or in combination, do not teach the limitations of independent claims 12 and/or 18, the Examiner has failed to establish the required *prima facie* case of unpatentability. In re Royka, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP 52143.03. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claims 12 and/or 18 and similarly has failed to establish a *prima case* of unpatentability for claims 14-17 that depend on claim 12 and which recite further specific elements that have no reasonable correspondence with the references.

CONCLUSION

In view of the foregoing remarks/arguments, each of the claims in the application is believed to be in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection and to pass the application to issue. Should the Office feel that contacting the undersigned representative will aid in expediting the prosecution of this application, please do not hesitate to do so at the number provided below. If any fees are required in connection with this filing, the Commissioner is hereby authorized to charge Deposit Account No. 50-4402.

Respectfully submitted,

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